

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND**

In Re:

VANESSA E. HALL,
Debtor

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Case No. 18-22504-NVA
Chapter 13

MOTION TO MODIFY CONFIRMED CHAPTER 13 PLAN

COMES NOW, the Debtor, Vanessa E. Hall (“Movant”), by and through her undersigned counsel, and proposes a Modified Chapter 13 plan and states as follows:

1. Movant’s Amended Chapter 13 Plan was confirmed by an order docketed on July 11, 2019 at doc 37.

2. This Motion To Modify Confirmed Chapter 13 Plan is a Cares Act Plan Modification as defined in Administrative Order 20-13.

3. “The Debtor ... has experienced a material financial hardship due, directly or indirectly, to the coronavirus disease 2019 (COVID-19) pandemic” U.S.B.C. §1329(d)(1)(A). An Affidavit verifying this is attached hereto as Exhibit A.

4. Debtor’s hours at her job were limited due to the pandemic, severely limiting her income.

5. Although she was earning enough to cover her plan payments, which were withheld from her paycheck, she was unable to maintain her monthly mortgage payments.

6. Debtor is now back at work full time and is able to maintain her plan payments and her ongoing monthly mortgage payments but she is not able to cure the post-petition default directly.

7. An Affidavit of Default was filed by U.S. Bank Trust, N.A. as Trustee for LSF9 Master Participation Trust (“U.S. Bank”) on August 4, 2020.

8. An Amended Consent Order Modifying Automatic Stay was docketed on September 17, 2020 at doc 48 wherein U.S. Bank Agreed to file an amended Proof of Claim adding the post-petition arrears to their existing pre-petition claim, to be paid through a modified Chapter 13 Plan.

9. On September 30, 2020, U.S. Bank filed an Amended Proof of Claim, adding \$13,581.66 to their initial arrears claim, for a new arrears claim totaling \$64,667.16.

10. Movant is proposing a Modified Chapter 13 Plan, which is attached hereto as Exhibit B.

11. The proposed Modified Chapter 13 Plan provides for the payment of the increased claim of U.S. Bank.

12. The proposed Modified Chapter 13 Plan also provides, as authorized by Administrative Order 20-13, for an additional \$1,100 in attorney's fees, consisting of \$500.00 for filing this motion and \$600.00 for an additional two years of representation,

13. The proposed Modified Chapter 13 Plan makes no changes to the regular plan payments during the first 60 months of the plan, and adds two years to the end of the plan at the rate of \$725.00 per month, for a total of 84 months, as allowed under U.S.B.C §1329(d).

14. The proposed Modified Chapter 13 Plan also drops the additional payment under Paragraph 3.4 that was due June 1, 2020 in the amount of \$1,075.00.

15. Movant would suffer undue harm if she were denied an opportunity to modify her Chapter 13 Plan to cure the post-petition mortgage arrears and to successfully complete her Chapter 13 plan.

WHEREFORE, Movant respectfully requests that this Honorable Court grant this motion and approve Movant's proposed Modified Chapter 13 Plan.

Respectfully submitted,

Dated: October 20, 2020

/s/David B. Mintz
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Counsel for Debtor

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of October, 2020, copies of the foregoing *Motion To Modify Confirmed Chapter 13 Plan* and the *Notice of Motion to Modify Chapter 13 Plan After Confirmation* were delivered through the court's CM/ECF electronic mail (Email) system to Chapter 13 Trustee Rebecca A. Herr at ecf@ch13md.com and by first class mail to all creditors and parties in interest on the attached list.

/s/David B. Mintz
David B. Mintz